

Weare Conservation Commission  
July 9, 2008  
Meeting Minutes

Attendance: George Malette, Andy Fulton, Steve Najjar, and Andrea Alderman  
Guests: John Berry, Steve Lacharite, Gordon Baker, Richard Plourde, Art Siciliano, Ian McSweeney, Heleen Kurk

Chairman Andy Fulton called the meeting to order at 7:05.

**1. Planning Board:**

**a. AWeare Auto and Truck – North Stark Highway Map 201 Lot 71.2**

John Berry attended to represent the plan. Owners Steve Lacharite and Gordon Baker were also present to answer questions. John Berry gave an overview of the project highlighting the changes to the plan. The most significant change is the elimination of the rear parking lot. There will be no disturbance to the 2 wetlands on the property, however the small wetland in the NE of the property will catch overflow from the infiltration/detention area. A question and answer period followed. All petroleum products and other motor fluids are handled inside the garage. A 500 gal waste oil burner is the heat source for the garage. All antifreeze and transmission fluid is stored only in small quantities and recycled. Oil is stored in two 100 gal bulk tanks inside the garage and no gasoline is stored on site. This is not a hazardous waste site as all products are recycled. The parking lots would not be expected to contribute more in runoff pollution than any other parking lot of similar size. Runoff pollution that may occur is handled in the catch basin system of the detention pond. All outlets are installed with a hood to prevent materials from spilling over. These hoods would need to be cleaned and maintained. The water supply is an on-site well. There are three areas of riprap.

**b. Buffer Restoration Plan for High Rock subdivision – Twin Bridge Rd/Daniels Rd.**

Art Siciliano attended to present the restoration plan and answer questions. The restoration plan created by Tom Carr, wetlands scientist, has been reviewed by Eben Lewis of DES. Art and Mr. Lewis met at the site to review the restoration plan and Mr. Lewis followed with a letter outlining amendments to that plan. Art presented this letter to the WCC. Andy reported that he visited the

site with Paul Morin, Chip Meaney, Bill Weber and Gary Fitzgerald on Monday July 7 and will meet again on Monday July 14 at 3 PM to ensure that progress is being made. The issues outlined in Chip Meaney's letter of May 27 were also revisited. Art has re-flagged the wetland boundaries and will flag the open space this week. Andy will walk the open space boundary after the July 7 meeting. It was noted by Steve that the subdivision regulations should be changed to require the applicant to place metal signs around the bounds of conservation areas.

**2. NHDES/Wetlands bureau, etc.:**

**a. June 11, 2008 wetlands permit 2006-02968 for PSNH substation on Norris Rd.**

**b. June 12, 2008 DES letter to Linda Hampson requiring copy of recorded conservation easement, 412/186 – Colby Rd.**

A copy of the easement was received on June 15 and will be filed in the Conservation Room files.

**c. June 16, 2008 Kurk Complete Forestry Notification**

**d. June 18, 2008 PSNH restoration completion letter to DES for Mtn. Rd.**

**e. June 19, 2008 Hagstrom wetlands OK**

**f. June 30, 2008 correspondence containing copy of May 20, 2008 wetlands permit for Abijah Bridge replacement**

**g. PSNH minimum expedited application for pole anchors along Twin Bridge Rd.**

Richard Plourde attended to present the application. This project is for the installation of 3 "swamp anchors" into the wetland to anchor replacement poles. There will be 7ft<sup>2</sup> of wetlands impact and no vehicles will enter the wetland. Steve made motion to allow Andy to sign the minimum impact expedited application. George 2<sup>nd</sup>. All in favor.

**h. 35 Daniels Rd. re: placement of sand without permit at Map 110/Lot 101.**

**3. Other Items:**

a. Request from Town Clerk's office for Ferrin Pond pamphlets – these will be placed in Evelyn Connor's box for her distribution.

b. June 16, 2008 letter from Gordon Russell inviting WCC to meeting in Deering re. Mtn. Rd.

Ian McSweeney, citizen, and Heleen Kurk, Selectperson were present to discuss the Mtn. Rd. issue. Andy and Steve attended the July 8, 2008 meeting in Deering. This meeting was attended by Board of Selectmen and Conservation Commission members of Weare, Frankestown and Deering, Ian McSweeney, Heleen Kurk, Gordon

Russell, Tom Carr and others. Andy gave an overview of the meeting: "DES has opted not to require PSNH to restore Mtn. Rd to its original condition, the state has signed off on the restoration. Frankestown is drafting a letter to PSNH requesting more attention to the issue. Options for how to address the issues were aired including waterbars, culverts, closing the road, re-designating the road, etc." Steve offered that the option of closing the road is not desirable and we should focus on how to fix the road environmentally. He also expressed concern that we may be backed into a corner legally regarding the RSA prohibiting the passage of vehicles through surface waters. Gordon Russell has obtained legal advice on the topic and presented it at the July 8 meeting. He was advocating an emergency closing of the road. Steve advocated for the installation of bottomless or oval sunk culverts determined by Talbot's Formula. Andy stated that the downside to culverts is the installation of an engineered structure where there hasn't been one. Andy reported that Tom Carr suggested at the July 8 meeting that waterbars may solve the problem in that they may stop gullyng and may stop some vehicles from driving on the road. Heleen Kurk suggested that the BOS is looking to the WCC to decide how to proceed and it would be helpful if the WCC could focus on how to restore the wetlands as closely as possible to their original condition. There was much discussion over the pros and cons of waterbars versus culverts and the WCC ultimately decided that each of the 4 crossings needs to be addressed separately. In order to give full consideration to each site, the WCC will meet at Mtn. Rd. at 5PM on Tuesday, July 22.

Steve made motion that the WCC recommend to the Board of selectmen that the class VI portion of Mountain Road remain open to public access to facilitate outdoor pursuits. Andrea 2<sup>nd</sup>. Discussion-Ian inquired about the discussion regarding re-designating the road as a Class A trail had in November. Andy read the RSA and there was some discussion about owners and the regulations. Andrea suggested that functionally Class A trails and Class VI roads are not significantly different. George agreed and stated that in addition we may have an obligation to keep the road as Class VI since the town approved a hunting cabin on the road. Vote was taken and all members voted in favor. The motion carried.

Andy will forward our motion to BOS and report that we are working on our recommendations regarding waterbars/culverts, seeding, and signage.

- c. June 19, 2008 PSNH \$100 grant check – Andrea will pass to Tina for deposit into the Unrestricted Grant Fund.
- d. Town Forest Goals and Objectives – The commission reviewed the document and had no changes. Andrea will pass it to Jeremy Turner for inclusion in the Town Forest Management Plan.
- e. NRI – the draft maps are in for the first set of deliverables. We need to review for changes. The second set will be delivered for our August meeting.
- f. Forest Society Brown Farm easement budget confirmation – the Conservation Fund account balance was reviewed. The group recalled that the \$20,000 grant from the Russell foundation was intended to offset the \$150,000 Conservation Fund commitment. This needs to be confirmed to determine whether we are committed to pay it in addition to the \$150,000.
- g. Hawkes/Wilson appraisal results – Steve reported that the value of an easement on Shawn and Denise Hawkes' 70 acre property was appraised at \$260,000. We are committed to pay \$210,000. The value of an easement on Rod Wilson's 81 acres with a Forever Wild easement is \$245,000. We are committed to pay \$243,000. The next step is due diligence. PLC needs to be contacted to determine whether the WCC or PLC should do the title search, who will pay closing costs, who will write up contract, easement language, executory interest. Andrea will publish a public hearing notice in the Union Leader for the August meeting.
- h. Townes easement – George reported that the Planning Board voted to accept the easement language for the Townes easement before the WCC had a chance to review the language. Members reviewed the language briefly and were surprised that the PB would supersede WCC input. The language is quite different from previous easement documents the WCC has accepted.

**4. Review and approve minutes of May meeting:** George made motion to accept the minutes as amended. Andrea 2<sup>nd</sup>. All in favor.

**5. Adjourn:** There being no other business Andrea made motion to adjourn at 11:40. George 2<sup>nd</sup>. All in favor.

Respectfully submitted as a true record,

Andrea Alderman